


REISSUE APPLICATION DECLARATION BY THE ASSIGNEE		Docket Number (optional) 0315-000414/REF
<p>I hereby declare that:</p> <p>My residence and post office address and citizenship are stated below next to my name.</p> <p>I am authorized to act on behalf of the following assignee: <u>Copeland Corporation</u></p> <p>and the title of my position with said assignee is: <u>Vice President, Research</u></p> <p>The entire title to the patent identified below is vested in said assignee.</p>		
Name of Patentee(s): Mark Bass et al.		
Patent Number 5,741,120	Date of Patent Issued April 21, 1998	
Title of Invention Capacity Modulated Scroll Machine		
<p>I believe said patentee(s) to be the original, first and sole/joint inventor(s) of the subject matter which is described and claimed in said patent, for which a reissue patent is sought on the invention entitled <u>Capacity Modulated Scroll Machine</u>.</p> <p>the specification of which</p> <p><input checked="" type="checkbox"/> is attached hereto.</p> <p><input type="checkbox"/> was filed on _____ as reissue application number _____ / _____ and was amended on _____ (If applicable)</p> <p>I have reviewed and understand the contents of the above identified specification, including the claims, as amended by any amendment referred to above.</p> <p>I acknowledge the duty to disclose information which is material to patentability as defined in 37 CFR 1.56.</p> <p>I verily believe the original patent to be wholly or partly inoperative or invalid, for the reasons described below. (Check all boxes that apply.)</p> <p><input type="checkbox"/> by reason of a defective specification or drawing.</p> <p><input checked="" type="checkbox"/> by reason of the patentee claiming more or less than he had the right to claim in the patent.</p> <p><input type="checkbox"/> by reason of other errors.</p> <p>At least one error upon which reissue is based is described as follows: Patentee did not claim the subject matter of a force applying structure including a biasing chamber and a vent passage that vents pressurized fluid from the biasing chamber, which is supported by the specification as filed at col. 4, line 55 – col. 5, line 26; col. 5, line 52 – col. 6, line 16; col. 6, line 36 – col. 7, line 6; col. 8, line 66 – col. 9, line 19; col. 9, line 36 – col. 10, line 5; col. 10, line 44 – col. 11, line 4; col. 11, lines 41-67; col. 13, lines 13-38; col. 13, line 42 – col. 14, line 26; col. 16, line 59 – col. 17, line 23; col. 17, line 32 – col. 18, line 16; col. 21, line 8 – col. 22, line 38; col. 23, line 14 – col. 24, line 49; col. 25, lines 8-39; and col. 25, line 50 – col. 6, line 32, among other parts of the specification, as well as the drawings.</p> <p style="text-align: center;">[Attach additional sheets, if needed.]</p> <p>All errors corrected in this reissue application arose without any deceptive intention on the part of the applicant.</p>		

(REISSUE APPLICATION DECLARATION BY THE ASSIGNEE)				Docket Number (Optional) 0315-000452/REA	
I hereby appoint the following attorney(s) and/or agent(s) to prosecute this application and transact all business in the Patent and Trademark Office connected therewith.					
Name(s)		Registration Number			
Charles H. Blair				19,734	
Michael Malinzak				43,770	
Correspondence Address: Direct all communications about the application to:					
<input checked="" type="checkbox"/> Customer Number		27572		→	
OR		Type Customer Number Here			
<input type="checkbox"/> Firm or Individual Name					
Address					
Address					
City		State		Zip	
Country					
Telephone		Fax			
I hereby declare that all statements made herein of my own knowledge are true and that all statements made on information and belief are believed to be true; and further that these statements were made with the knowledge that willful false statements and the like so made are punishable by fine and imprisonment, or both, under 18 U.S.C. 1001, and that such willful false statements may jeopardize the validity of the application, any patent issuing thereon, or any patent to which this declaration is directed.					
Full name of person signing (given name, family name) Jean-Luc Caillat					
Signature <i>Jean-Luc Caillat</i>				Date <i>September 15, 2003</i>	
Address of Assignee 1675 West Campbell Road, Sidney, Ohio 45365					
Patentee Mark Bass				Citizenship US	
Residence/Post Office Address 80 Creekwood Drive, Unit 8, Wilder, Kentucky 41071					
Patentee Roy J. Doecker				Citizenship US	
Residence/Post Office Address 2042 Sandy Lane, Lima, Ohio 45806					
<input checked="" type="checkbox"/> Additional Patentees are named on separately numbered sheets attached hereto.					


Docket Number
0315-000414/REF

REISSUE APPLICATION DECLARATION BY THE ASSIGNEE

ADDITIONAL PATENTEES

Jean-Luc M. Caillat
7001 Settlement Way, Dayton, Ohio 45414
France

Wayne R. Warner
411 Broadway, Piqua, Ohio 45356
U.S.A.

REISSUE APPLICATION: CONSENT OF ASSIGNEE; STATEMENT OF NON-ASSIGNMENT		Docket Number (Optional) 0315-000414/REF
This is part of the application for a reissue patent based on the original patent identified below.		
Name of Patentee(s) Mark Bass et al.		
Patent Number 5,741,120	Date Patent Issued April 21, 1998	
Title of Invention Capacity Modulated Scroll Machine		
<p>1. <input checked="" type="checkbox"/> Filed herein is a certificate under 37 CFR 3.73(b). (Form PTO/SB/96)</p> <p>2. <input type="checkbox"/> Ownership of the patent is in the inventor(s), and no assignment of the patent has been made.</p> <p>One of boxes 1 or 2 above must be checked. If multiple assignees, complete this form for each assignee. If box 2 is checked, skip the next entry and go directly to "Name of Assignee".</p> <p>The written consent of all assignees and inventors owning an undivided interest in the original patent is included in this application for reissue.</p>		
The assignee owning an undivided interest in said original patent is/are <u>Copeland Corporation</u> and the assignee(s) consents to the accompanying application for reissue.		
Name of assignee/inventor (if not assigned) Copeland Corporation		
Signature 	Date <u>September 11, 2003</u>	
Typed or printed name and title of person signing for assignee (if assigned) Jean-Luc Caillat, Vice President, Research		

Burden Hour Statement: This form is estimated to take 0.1 hours to complete. Time will vary depending upon the needs of the individual case. Any comments on the amount of time you are required to complete this form should be sent to the Chief Information Officer, U.S. Patent and Trademark Office, Washington, DC 20231. DO NOT SEND FEES OR COMPLETED FORMS TO THIS ADDRESS. SEND TO: Assistant Commissioner for Patents, Washington, DC 20231.

STATEMENT UNDER 37 CFR 3.73(b)Applicant/Patent Owner: Mark Bass et al.Application No./Patent No.: 5,741,120Filed/Issue Date: April 21, 1998Entitled: Capacity Modulated Scroll MachineCopeland Corporation, a corporation

(Name of Assignee)

(Type of Assignee, e.g., corporation, partnership, university, government agency, etc.)

states that it is:

1. ☒ the assignee of the entire right, title, and interest; or
2. ☐ an assignee of an undivided part interest

in the patent application/patent identified above by virtue of either:

- A. ☒ An assignment from the inventor(s) of the patent application/patent identified above. The assignment was recorded in the Patent and Trademark Office at Reel 7601, Frame 0655, or for which a copy thereof is attached.

OR

- B. ☐ A chain of title from the inventor(s), of the patent application/patent identified above, to the current assignee as shown below:

1. From: _____ To: _____
The document was recorded in the United States Patent and Trademark Office at Reel _____, Frame _____, or for which a copy thereof is attached.

2. From: _____ To: _____
The document was recorded in the United States Patent and Trademark Office at Reel _____, Frame _____, or for which a copy thereof is attached.

3. From: _____ To: _____
The document was recorded in the United States Patent and Trademark Office at Reel _____, Frame _____, or for which a copy thereof is attached.

☐ Additional documents in the chain of title are listed on a supplemental sheet.

- ☐ Copies of assignments or other documents in the chain of title are attached.

[NOTE: A separate copy (i.e., the original assignment document or a true copy of the original document) must be submitted to Assignment Division in accordance with 37 CFR Part 3, if the assignment is to be recorded in the records of the USPTO. See MPEP 302.8]

The undersigned (whose title is supplied below) is empowered to sign this statement on behalf of the assignee.

September 15, 2003
Date

Jean-Luc Caillat
Signature

Jean-Luc Caillat

Typed or printed name

Vice President, Research

Title

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

Application No.: not yet assigned

Filing Date: not yet assigned

Applicant: Mark Bass et al.

Group Art Unit: not yet assigned

Examiner: not yet assigned

Title: Capacity Modulated Scroll Machine

Attorney Docket: 0315-000414/REF

Director of the United States Patent and Trademark Office
P.O. Box 1450
Alexandria, VA 22313-1450

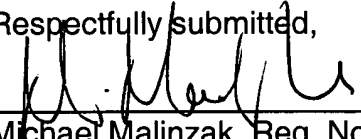
STATEMENT OF STATUS/SUPPORT FOR
ALL CHANGES TO THE CLAIMS IN STATE
(37 CFR 1.173(c))

Sir:

A Preliminary Amendment is enclosed herewith in which claims 103-106 have been added. The status of these claims are pending as of the date of the amendment. Patent claims 1-102 are also pending. Support in the disclosure of the patent for the additional subject matter of claims 103-106 can be found in the patent in col. 4, line 55 – col. 5, line 26; col. 5, line 52 – col. 6, line 16; col. 6, line 36 – col. 7, line 6; col. 8, line 66 – col. 9, line 19; col. 9, line 36 – col. 10, line 5; col. 10, line 44 – col. 11, line 4; col. 11, lines 41-67; col. 13, lines 13-38; col. 13, line 42 – col. 14, line 26; col. 16, line 59 – col. 17, line 23; col. 17, line 32 – col. 18, line 16; col. 21, line 8 – col. 22, line 38; col. 23, line 14 – col. 24, line 49; col. 25, lines 8-39; and col. 25, line 50 – col. 6, line 32, among other parts of the specification, as well as the drawings.

Dated: Sept 30, 2003

HARNESS, DICKEY & PIERCE, P.L.C.
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MM:ca

Respectfully submitted,
By: 
Michael Malinzak, Reg. No. 43,770

REISSUE PATENT APPLICATION STATEMENT AS TO LOSS OF ORIGINAL PATENT		Docket Number (Optional) 0315-000414/REF
I hereby declare that: I am the applicant for a reissue patent based on the original patent identified below.		
Name of Patentee(s)/Assignee(s) Copeland Corporation		
Patent Number 5,741,120		
Title of Invention Capacity Modulated Scroll Machine		
Reissue application number (if known) not yet assigned		
The ribboned original patent grant is lost or inaccessible.		
Signature <i>Jean-Luc Caillat</i>		
Typed or printed name Jean-Luc Caillat	Date September 29th, 2003	
Title (e.g. inventor(s), officer of assignee) Vice President, Research		

Burden Hour Statement: This form is estimated to take 0.08 hours to complete. Time will vary depending upon the needs of the individual case. Any comments on the amount of time you are required to complete this form should be sent to the Chief Information Officer, U.S. Patent and Trademark Office, Washington, DC 20231. DO NOT SEND FEES OR COMPLETED FORMS TO THIS ADDRESS. SEND TO: Assistant Commissioner for Patents, Washington, DC 20231.